

EXHIBIT K

From: [John Ryan](#)
To: [Jeremy Fielding](#)
Cc: [Clint Cowan](#); [Daniel DeCicco](#); [Jon Kelley](#); [Nathan Wilcox](#)
Subject: RE: East Rockaway Solicitation Plans
Date: Monday, June 10, 2019 12:12:53 PM

I have concluded that I no longer can communicate with you by e-mail. Going forward, I will only communicate with you in-person or by telephone in a conference supervised by the Court.

John E. Ryan, Esq.
RYAN, BRENNAN & DONNELLY LLP
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E-MAIL: jryan@rbdllp.net

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From: Jeremy Fielding <jfielding@lynnllp.com>
Sent: Monday, June 10, 2019 12:07 PM
To: John Ryan <JRyan@RBDLLP.net>
Cc: Clint Cowan <Ccowan@lynnllp.com>; Daniel DeCicco <ddecicco@deyblp.com>; Jon Kelley <jkelly@lynnllp.com>; Nathan Wilcox <n.wilcox@goaptive.com>
Subject: Re: East Rockaway Solicitation Plans

John:

Can you clarify your email, please?

I've set forth below our understanding that payment of the fee will lead to automatic issuance of the license and that there are no further submissions required. Please let me know where and how that understanding is wrong.

Our intent is to comply with all constitutionally sound provisions of the licensing process. I'm just not aware of any other beside payment of the fee.

Where am I wrong? What else do we need to submit? If you'll tell me – and its constitutionally sound and has a basis in the town's ordinance – we're happy to do it.

In short, I look forward to your clarification of the misunderstanding you reference below.

Thanks,

Jeremy

.....
JEREMY FIELDING, Partner

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Benchmark Litigation - Top 10 Litigation Boutiques in America

From: John Ryan <JRyan@RBDLLP.net>

Date: Monday, June 10, 2019 at 10:50 AM

To: Jeremy Fielding <jfielding@lynnllp.com>

Cc: Clint Cowan <Ccowan@lynnllp.com>, Daniel DeCicco <ddecicco@deyblp.com>, Jon Kelley <jkelley@lynnllp.com>, Nathan Wilcox <n.wilcox@goaptive.com>

Subject: RE: East Rockaway Solicitation Plans

You have completely misinterpreted my e-mail. As to what you understand, I have no idea.

John E. Ryan, Esq.

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From: Jeremy Fielding <jfielding@lynnllp.com>

Sent: Monday, June 10, 2019 11:38 AM

To: John Ryan <JRyan@RBDLLP.net>

Cc: Clint Cowan <Ccowan@lynnllp.com>; Daniel DeCicco <ddecicco@deyblp.com>; Jon Kelley <jkelley@lynnllp.com>; Nathan Wilcox <n.wilcox@goaptive.com>

Subject: Re: East Rockaway Solicitation Plans

John:

I assume from your email below that you are confirming licenses will be deemed issued by the Village immediately upon Aptive's payment of the licensing fee. If I've misunderstood your email in any way, please let me know immediately.

I will let you know once Aptive has tendered that fee to the Village clerk (which I expect will happen tomorrow). At that point, I would appreciate you letting town law enforcement know about the issuance of these permits and the Court's ordering enjoining enforcement of the 5pm curfew.

Thanks,

Jeremy

.....
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From: John Ryan <JRyan@RBDLLP.net>

Date: Monday, June 10, 2019 at 9:57 AM

To: Jeremy Fielding <jfielding@lynnllp.com>

Cc: Clint Cowan <Ccowan@lynnllp.com>, Daniel DeCicco <ddecicco@deyblp.com>, Jon Kelley <jkelley@lynnllp.com>, Nathan Wilcox <n.wilcox@goaptive.com>

Subject: RE: East Rockaway Solicitation Plans

Thank you for your e-mail. It will be handled accordingly.

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From: Jeremy Fielding <jfielding@lynnllp.com>
Sent: Monday, June 10, 2019 10:03 AM
To: John Ryan <JRyan@RBDLLP.net>
Cc: Clint Cowan <Ccowan@lynnllp.com>; Daniel DeCicco <ddecicco@deyblp.com>; Jon Kelley <jkelley@lynnllp.com>; Nathan Wilcox <n.wilcox@goaptive.com>
Subject: Re: East Rockaway Solicitation Plans

John:

As you know, Aptive intends to apply for solicitation licenses with the Village of East Rockaway this week. But, as indicated below, we cannot find any application form or other documents on the city's website that we need to submit as part of that licensing process. We will be delivering a check to the village tomorrow for the fees associated with the 28 licenses.

If the Village requires any other information or documents in connection with the license application, please let me know immediately. In doing so, please point me to the relevant sections of the ordinance related to those requirements. Otherwise, upon payment of the fee, we will assume the city has granted each representative listed below a license and we will commence solicitation.

Do not hesitate to contact me if you wish to discuss further.

Respectfully,

Jeremy

Sent from my iPhone

On Jun 9, 2019, at 9:05 AM, John Ryan <JRyan@rbdllp.net> wrote:

I decline to answer your self-serving questions until Judge Feuerstein is fully informed.

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From: Jeremy Fielding <jfielding@lynnllp.com>
Sent: Saturday, June 08, 2019 3:43 PM
To: John Ryan <JRyan@RBDLLP.net>
Cc: Clint Cowan <Ccowan@lynnllp.com>; Daniel DeCicco <ddecicco@deyblp.com>; Jon Kelley <jkelley@lynnllp.com>; Nathan Wilcox <n.wilcox@goaptive.com>
Subject: Re: East Rockaway Solicitation Plans

John:

We have heard from the Judge. She's entered an order. That orders enjoins enforcement of the curfew and bond.

Are you saying that the Village is refusing to grant us license to solicit in the Village, even if we pay the fee? If so, what is the basis for this refusal?

Jeremy

Sent from my iPad

On Jun 8, 2019, at 12:56 PM, John Ryan <JRyan@rbdllp.net> wrote:

Don't assume anything. Until we hear from Judge Feuerstein, your client is not authorized to do undertake any soliciting in East Rockaway.

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From: Jeremy Fielding <jfielding@lynnllp.com>

Sent: Saturday, June 08, 2019 6:36 AM

To: John Ryan <JRyan@RBDLLP.net>

Cc: Clint Cowan <Ccowan@lynnllp.com>; Daniel DeCicco <ddecicco@deyblp.com>; Jon Kelley <jkelley@lynnllp.com>; Nathan Wilcox <n.wilcox@goaptive.com>

Subject: East Rockaway Solicitation Plans

John:

In light of the Court's grant of our TRO on Thursday, I wanted to follow up with you regarding Aptive's upcoming solicitation in the Village.

As I'm sure you are aware, the Village's Solicitation Ordinance features a requirement that solicitors obtain a license to solicit in the Village (§ 171-14). The only condition identified for the issuance of such a license is the payment of a fee (\$20/year, per § 171-17) and the tendering of a bond (§ 171-16). No other requirements to obtain such a license are identified. Consistent with this, we have carefully reviewed the Village's website and – while finding application forms for plenty of other licenses – have found none for solicitation. Accordingly, our conclusion is that a license will automatically issue upon payment of the \$20 fee (As you are aware, the Court has enjoined the enforcement of the bond.)

I wanted to write and inform you that Aptive intends to shortly begin solicitation within the Village. We will be seeking licenses for the following 28 individuals:

Hunter Brooke
Stephen Gonzales
Dallon Neves
Logan Frew
Jacob Woodward
Bryce Ipson
Austin Jensen
Kyle Schauerhamer
Dean Camarena

Colton Hamrick
Preston Hamrick
Zach Stoker
Porter Van Orden
Miles Crabb
Michael Jensen
Matthew Stoker
Kaden Brooke
Jared Jensen
Easton Deshler
Jacob Taylor
Dallin Poulson
Jacob Archer
Weston Poulson
Drew Ipson
Simon Nickerson
Nick McCracken
Ryan Horman
Ivan Pietz

On Monday, Aptive will tender a check in the amount of \$560 (28 times \$20) to the Village clerk. Upon payment of that fee, our reading of the ordinance is that these 28 individuals will be automatically licensed to solicit within the village. We intend to commence solicitation efforts shortly thereafter. Consistent with the Court's TRO enjoining the enforcement of the curfew, Aptive intends to solicit in the town each day until dusk (thirty minutes after sunset).

Please pass this information on to the Village so they are aware of our intentions. We trust the Village will inform law enforcement of the TRO such that the Village's curfew will not be enforced against them.

Of course, should you have any questions or wish to discuss this further, do not hesitate to contact me.

Respectfully,

Jeremy

.....
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